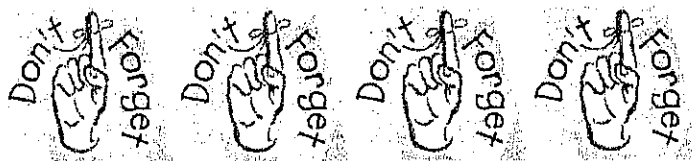


**CONTRACT #3**  
**RFS # 317.03-127**

**Department of Finance &  
Administration  
Office for Information  
Resources (OIR)**

**VENDOR:**  
**CIBER, Inc.**



An amendment must be presented to the Fiscal Review Committee (FRC) if it meets any of the following conditions:

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OCT 31 2006

- A non-competitive amendment request is submitted to OCR;
- Increases the maximum liability;
- Adds new services or changes the scope of services; or
- Extends the term of the contract beyond the original term.

FISCAL REVIEW

Use the following checklist to ensure copies of the proper documents have been submitted to FRC:

- ☒ ORIGINAL CONTRACT
  - If *new* non-competitive contract, actual language of the proposed contract (can be in draft form if necessary).
- ☒ SUMMARY SHEET FOR CONTRACT
- N/A ☐ REQUEST FOR CONTRACT (Competitive or Non-Competitive)
- N/A ☐ ALL PRIOR AMENDMENTS
- N/A ☐ SUMMARY SHEET FOR EACH PRIOR AMENDMENT
- ☒ REQUEST FOR NON-COMPETITIVE AMENDMENT
  - If *new* amendment, actual language of the proposed amendment (can be in draft form if necessary).
- ☒ SUMMARY LETTER
  - Detailing terms of contract or amendment and the basic justification for the non-competitive procurement.
  - If request is submitted less than 60 days before effective date, a detailed explanation for why the request is late.
- ☒ ANY SUPPORTING DOCUMENTS *New Maximum Liability Calculation*
- N/A ☐ FULLY EXECUTED COPY OF FINAL DOCUMENT

#### FRC STAFF COMMITTEE CONTACT INFORMATION

Leni Chick  
8<sup>th</sup> Floor, Rachel Jackson Building  
(615) 253-2048 (direct)  
(615) 253-3018 (fax)  
[leni.chick@legislature.state.tn.us](mailto:leni.chick@legislature.state.tn.us)



**STATE OF TENNESSEE  
DEPARTMENT OF FINANCE AND ADMINISTRATION**

**OFFICE FOR INFORMATION RESOURCES  
312 EIGHTH AVENUE NORTH  
SUITE 1600, TENNESSEE TOWER  
NASHVILLE, TENNESSEE 37243-0288  
(615) 741-3700  
FAX (615) 532-0471**

**DAVE GOETZ  
COMMISSIONER**

**BILL EZELL  
CHIEF INFORMATION OFFICER**

October 24, 2006

Mr. James W. White  
Executive Director  
Fiscal Review Committee  
8<sup>th</sup> Floor, Rachel Jackson Bldg.  
Nashville, TN

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**OCT 31 2006**

**FISCAL REVIEW**

Dear Sir:

Please find attached, for the Fiscal Review Committee's consideration, documentation of an Amendment request pertaining to the State's contract with CIBER, Inc. for the provision of Information Technology Professional Services (ITPRO) for the State. The Department of Finance and Administration respectfully requests to be placed on the agenda to present this request at the next Fiscal Review Committee meeting.

To facilitate the Committee's review, we present the following summary of the amendment:

1. The Amendment will add additional funds for the contract period.
2. This ITPRO contract resulted from a competitive RFP process with multiple contracts (three) awarded. The ITPRO contract contains a "built-in" continuing competitive process where the vendors bid on a Statement of Work (SOW). The vendor with the lowest priced, qualified candidate will be awarded the placement. See Contract Sections A.11.a, A.11.b, and A.11.c for a more complete explanation.
3. When the contract was executed, an estimated maximum liability of \$5 million dollars was inserted. Due to the competitive nature of the contract, the exact usage per vendor could not be calculated.
4. CIBER, Inc. has competitively placed more contractor personnel than the other two vendors. Based on current expenditures, their Maximum Liability will be exhausted December 31, 2006.

Thank you for your consideration of this request. We look forward to appearing before the Committee at its next scheduled meeting.

Sincerely,

Bill Ezell  
Chief Information Officer

**AMENDMENT ONE  
TO FA-06-16666-00**

This Contract, by and between the State of Tennessee, Department of Finance and Administration, hereinafter referred to as the State, and CIBER, Inc., hereinafter referred to as the Contractor, is hereby amended as follows:

1. Delete Section C.1 in its entirety and insert the following in its place:

C.1. **Maximum Liability.** In no event shall the maximum liability of the State under this Contract exceed Twelve Million One Hundred Thousand Dollars (\$12,100,000.00). The Service Rates in Section C.3 shall constitute the entire compensation due the Contractor for the Service and all of the Contractor's obligations hereunder regardless of the difficulty, materials or equipment required. The Service Rates include, but are not limited to, all applicable taxes, fees, overheads, and all other direct and indirect costs incurred or to be incurred by the Contractor.

The Contractor is not entitled to be paid the maximum liability for any period under the Contract or any extensions of the Contract for work not requested by the State. The maximum liability represents available funds for payment to the Contractor and does not guarantee payment of any such funds to the Contractor under this Contract unless the State requests work and the Contractor performs said work. In which case, the Contractor shall be paid in accordance with the Service Rates detailed in Section C.3. The State is under no obligation to request work from the Contractor in any specific dollar amounts or to request any work at all from the Contractor during any period of this Contract.

The other terms and conditions of this Contract not amended hereby shall remain in full force and effect.

**IN WITNESS WHEREOF:**

**CIBER, Inc.:**

---

**Ed Burns, President State and Local Government**

**DATE**

---

**PRINTED NAME AND TITLE OF CONTRACTOR SIGNATORY**

**DEPARTMENT OF FINANCE AND ADMINISTRATION:**

---

**M. D. GOETZ, JR., COMMISSIONER**

**DATE**

**APPROVED:**

**DEPARTMENT OF FINANCE AND ADMINISTRATION:**

---

**M. D. GOETZ, JR., COMMISSIONER**

**DATE**

**COMPTROLLER OF THE TREASURY:**

---

**JOHN G. MORGAN, COMPTROLLER OF THE TREASURY**

**DATE**

**DRAFT**

Vend Id: CIB

Invoice  
MonthAmount Paid - Includes Professional Svc  
and Travel

Inv Nbr	Dte Proc	Inv Mo	Inv Amt SUM
2006-03/1-03/31	04/19/06	01-Mar	\$516,227.95
2006-04/1-04/30	05/19/06	01-Apr	\$407,793.50
2005-03/1-03/31 1A	06/21/06	01-May	\$2,919.73
2006-05/1-05/31			\$500,153.00
			Sum: \$503,072.73
2006-06/1-06/30	07/19/06	01-Jun	\$527,981.45
2006-07/1-07/31	08/17/06	01-Jul	\$469,295.25
2006-08/1-08/31	09/15/06	01-Aug	\$555,073.80
2006-08/1-08/31-T			\$59.64
			Sum: \$555,133.44
2006-09/1-09/30	10/11/06	01-Sep	\$545,817.75
2006-09/1-09/30-T			\$432.25
			Sum: \$546,250.00
			Vendor Grand Total: \$3,525,754.32
			Total Spent-to-Date: \$3,525,754.32

3,525,754.32 Spent yr to date

÷ 7 mos (Mar-Sep)

\$503,679 avg per month

x 5 mos (remaining Yr 1 of contract)  
Oct - Feb.

2,518,395

3,525,754 Spent yr to date

6,044,149 Contract Yr. 1

- 5,000,000 Maximum Liability

\$1,044,149 shortage

503,679 avg per month

x 12 (Contract Yr. 2 (3/07-2/08))

6,044,148

+ 1,044,149 Yr. 1 shortage

\$7,088,297 Maximum Liability Shortage

8-8.05

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### 3 FISCAL REVIEW

**Multiple source-of-supply award.** One of three vendors providing Information Technology Professional Services (ITPRO).

CFDA #☒ Contractor is on STARS as required

☒ Contractor's Form W-9 is on file in Accounts as required

317 03State

## ralph

mentOther \_\_\_\_\_

**TOTALING 1444**

FYStateFederal

Interdepartmental

Other:

**TOTALING 11-11-20**

State Agency Fiscal Contact & Telephone #

Maureen Abbey 741-6070

**State Agency Budget Officer Approval**

*Manuel Adamey*

**Funding Certification** (certification, required by T.O.A., § 9-4-5113, that a balance in the appropriation from which the obligated expenditure is required to be paid that is not otherwise encumbered to pay obligations previously incurred)

**Funding Certification** (certification, required by T.C.A., § 9-4-5113, that there is a balance in the appropriation from which the obligated expenditure is required to be paid that is not otherwise encumbered to pay obligations previously incurred)

\_\_\_\_\_

.....

\_\_\_\_\_

☐ Small Business ☒ NOT minority/disadvantaged

can ☐ OTHER minority/disadvantaged—

\_\_\_\_\_

☐ Alternative Competitive Method

☐ Other \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**STATE OF TENNESSEE**  
**DEPARTMENT OF FINANCE AND ADMINISTRATION**  
OFFICE FOR INFORMATION RESOURCES  
312 EIGHTH AVENUE NORTH  
SUITE 1700, WILLIAM R. SNODGRASS TENNESSEE TOWER  
NASHVILLE, TENNESSEE 37243-1510  
(615) 741-3735  
FAX (615) 532-0471

DAVE GOETZ  
COMMISSIONER

## Memorandum

**TO:** Mr. Dave Goetz, Commissioner  
Department of Finance and Administration

**FROM:** Mitzi Hale, RFP Coordinator  
Information Technology Professional Services (ITPRO)

**SUBJECT:** Request for Approval of RFP Evaluation Notice

**DATE:** December 15, 2005

This memo is to request your approval of the outcome of the evaluation process pursuant to Request for Proposals (RFP) #317.03-127. This RFP, issued on October 25, 2005, is to secure a contract for Information Technology Professional Services.

The State recently completed its evaluation of proposals in response to this RFP. As a result of this evaluation, the evaluation team recommends that a contract be awarded to the following Proposers:

**Majestic Systems Integration Co.**

**CIBER, Inc.**

**KBM Enterprises. Inc.**

The following items are included in support of the award recommendation; for a high-level summary of the scores, please see the item highlighted below:

- The RFP, including amendments and clarifications;
- Bidders List;
- Cost Proposal Evaluation spreadsheets;
- Proposal Score Summary Matrix, listing Technical and Cost Points.

If you approve the evaluation team's recommendation, please sign the attached Evaluation Notices. There are twenty one (21) of these. After they are signed, if your office could notify me by phone, I would be happy to pick up the signed notices in person. My number is 741-3735.

Or, if you would rather return them via messenger mail, my address is as follows:



Suite 1700, William R. Snodgrass Tennessee Tower  
312 8<sup>th</sup> Avenue North  
Nashville, TN 37243-1510

Upon receiving your approval, and on the date stated in the RFP, we will send the Evaluation Notices to the Proposers. Thank you for your consideration of this matter.

**cc:** Project File